

HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON

BERNADEAN RITTMANN, FREDDIE
CARROLL, JULIA WEHMEYER, and RAEF
LAWSON individually and on behalf of all
others similarly situated,

Plaintiffs,

v.

AMAZON.COM, INC., and AMAZON
LOGISTICS, INC.,

Defendants.

No. 2:16-cv-01554-JCC

DECLARATION OF PHILIP TIEMANN
IN SUPPORT OF DEFENDANTS'
OPPOSITION TO PLAINTIFFS'
MOTION FOR NOTICE TO BE ISSUED
TO SIMILARLY SITUATED
EMPLOYEES PURSUANT TO 29 U.S.C.
§ 216(b)

ORAL ARGUMENT REQUESTED

NOTE ON MOTION CALENDAR:
JANUARY 20, 2017

DECLARATION OF PHILIP TIEMANN
NO. 2:16-CV-01554-JCC

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1 accepted a block, showed up as Farmers Branch, and no more blocks were left to be delivered.
2 Amazon still paid me for the block because my bid had been accepted and even though I did not
3 perform any work that day.

4 6. Approximately six or eight times over the last year I have also delivered "white
5 glove" blocks of problem packages. These blocks typically include only a small number of
6 packages but require urgent delivery or have proven problematic on earlier runs. "White glove"
7 blocks don't take as long as regular blocks.

8 7. I did not get any training from Amazon when I became a DP other than reviewing
9 a few videos on the app. As a result, I have used my prior experience to come up with my own
10 ways of doing things to deliver my packages as quickly and effectively as possible.

11 8. For example, I have a unique system of organizing my blocks. First, I review a
12 route sheet. Using the route sheet, I sort the packages by neighborhood on the rack and on the
13 ground outside my vehicle. I put the first neighborhood I plan to visit in the front and work my
14 way back. Within each neighborhood, I organize the packages by address. I do not think other
15 DPs use this method. In fact, several DPs have asked me about my method since they see me
16 organizing my packages ahead of time rather than just loading them into my car. I have found
17 these extra few minutes of sorting time have saved me more than half-an-hour of travel time on
18 some days.

19 9. As another example, I take extra steps to make myself visible when I am working
20 in neighborhoods so it is clear that I am there to deliver packages. For instance, I use my
21 flashers at all times as I drive on neighborhood streets much like a mail or delivery truck.

1 10. I also have my own way of handling navigation. While delivering, I use two
2 devices: a smartphone and a tablet. I will frequently run routes through different programs on
3 each device to try to find the most efficient delivery path.

4 11. My delivery strategies allow me to frequently deliver packages in less than the
5 amount of time allotted for my block.

6 12. I will occasionally drive for Lyft in addition to doing work as a DP. I most
7 frequently do Lyft driving when I finish a block and I would like to earn extra money on the
8 drive back towards my house.

9 13. As an independent contractor, I am able to deduct my business expenses as part of
10 my taxes at end-of-year. I've been keeping track of my mileage and other costs so that I can take
11 those deductions.

12 14. I've had lots of people ask me about the Amazon Flex program since I started,
13 and they frequently ask me if I can "put in a good word for them" to help them get a job as DP
14 since I have done so much work as a DP. I'm always amused by those requests because this job
15 just isn't one where you get a contract that way. As I always tell them, the only way to get
16 involved with being a DP is to get a contract through the app and start taking blocks.

17 15. I understand that this declaration is being provided in connection with lawsuits
18 brought against Amazon by current and/or former DPs who claim that Amazon should have
19 classified them as employees and paid minimum wage and overtime. I understand that the
20 plaintiffs are seeking to represent current and former DPs, including me, in a collective action
21 lawsuit. I understand that I may be invited to join the lawsuit and that I could be eligible to
22

1 participate. What I say in this declaration is the truth. I also understand that the lawyer(s) who
2 interviewed me and prepared this declaration for me represents Amazon and does not represent
3 me.

4
5 16. I am providing this statement voluntarily and without any duress, threats,
6 intimidation or coercion. I understand that I did not have to give this declaration, can provide or
7 refuse to provide a declaration or testimony, and know that giving information in this declaration
8 is not a condition of my contract with Amazon. I attest to the information in this declaration
9 voluntarily and of my own free will.

10 I declare under penalty of perjury of the laws of the United States that the foregoing is
11 true and correct to the best of my knowledge, information, and belief.

12 Executed on January 12, 2017 in Tarrant, Texas.

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Philip Tiemann